

Call to Order:

The meeting was called to order at 7:34 p.m. Present were Chair, Joan Duff, and members Linn Anderson, Jay Doherty, Vincent Chiozzi (arrived 7:41 p.m.), John McDonnell (arrived at 7:47 p.m.) and associate member Eric Macaux; also present was Paul Materazzo, Director of Planning.

Warrant Articles 3 & 4 (Youth Center):

The Board opened the discussion on two proposed warrant articles associated with the Andover Youth Center. Warrant Article 3 would allow for the Board of Selectmen to appropriate the sum of \$2,000,000 to pay cost of designing, constructing and furnishing a Youth Center, including the payment of costs relating to parking area behind the Doherty School. Warrant Article 4 is related to the transfer of the care, custody, control and management of a parcel of land containing 36,400 s.f as shown on a plan entitled "Plan Showing Proposed Youth Center" dated November 14, 2006 to the Board of Selectmen for municipal purposes. Bill Fahey, Director of Andover Youth Services (AYS), gave an overview of a PowerPoint Presentation outlining the AYS programs, including youth development, leadership programs, crisis intervention, and education. He discussed the space needs of AYS, and noted that the center would also be open to other community groups. Mr. Fahey also reviewed the 2007 town meeting article for the youth center at this site, and noted the proposed building would include a full-size basketball court, a 3,000 sf multi-purpose room with stage, conference room and class rooms on the 2nd floor. Dianne Costagliola, Chair of AYF, noted that the contract for the first phase of the building is complete and needs the vote and signatures of the Board of Selectmen. Mr. Chiozzi questioned the cost of the design, the form of contract and if construction will comply with Mass Gen. Laws. Ch. 149 Labor and Industries. Mr. Chiozzi also questioned delivery methods and asked if there were other options to build. Ms. Costagliola noted that these are conceptual plans and if the Article is passed at town meeting a committee will be formed to oversee the final project. She was hopeful that the current plans will be incorporated into the final design. Mark Yanowitz of 20 Wild Rose Drive, representing AYF, noted there has been a funding feasibility study. He noted that the threshold is 5 million and will follow the Mass Gen. laws. Ch 149 bid process. The Board discussed public /private partnerships, parking spaces, traffic and traffic circulation. In response to questions about adequacy of parking, Mr. Fahey noted that 80% of the students are dropped off. He said that the program is mainly grades 6 to 9 and the high school students come different times. Mr. Fahey stated that the parking meets the zoning requirements and the road will be widened to accommodate the drop off and pick up of the students as well as public safety vehicles. Mr. Yanowitz gave an overview of the traffic circulation and noted that a bus lane would be created to accommodate traffic circulation. He also stated that Plant and Facilities is developing a master plan that will include site improvements and parking. Mr. Materazzo noted that staff has been working the AYS since 2007 and parking and circulation will have to be addressed again during the site plan review process. Ms. Costagliola gave an overview of the cost from the proposed project and noted that AYS will start an aggressive fundraising campaign in Jan. 2012. The Board discussed the cost of the project, AYS funding for capital/operational costs and some members expressed concern that during construction of the project AYF might have to ask the town for more money. Ms. Costagliola noted that annual grants and donations of \$30K off-set operational costs and AYS fees also cover operational costs.

139 River Road (Dunkin Donuts):

The Board opened the public hearing on an application by Andover Dunkin Donuts, Inc. c/o Jatun Management Co., LLC, for a Special Permit for a Major Non-Residential Project to renovate forty percent of the gross floor area of an existing building with a change of use on property located at 139 River Road, Assessors Map 165 Lot 1C. Mr. Materazzo reviewed a memo from Ms. Byerley to the Board dated November 16, 2011 including comments from the IDR conducted on November 15, 2011, and noted Ms. Byerley suggested the Board continue the public hearing to December 13, 2011 in order to provide the Board with recommendations/conditions. The Board discussed the memo and Ms. Byerley's suggestion to leave the hearing opened until Dec. 13th. Attorney Mark Johnson, representing the applicant, noted that there is a hearing with the Zoning Board of Appeals on Dec. 1st, and he will indicate to them that the Planning Board has no major concerns with the proposed project. On a motion by Ms. Anderson seconded by Mr. Doherty the Board voted to continue the public hearing on an application by Andover Dunkin Donuts, Inc. c/o Jatun Management Co., LLC, for a Special Permit for Major Non-Residential Project to renovate forty percent of the gross floor area of an existing building with a change of use on property located at 139 River Road to December 13, 2011 at 8:30 p.m. **Vote:** Unanimous (5-0)

Trinity Court:

Mr. Materazzo reviewed an e-mail dated November 18, 2011 from Attorney Scot Gabriel representing the Schneiders requesting the Board continue the discussion without discussion until the Dec. 13th meeting. His clients are trying to work out a resolution with the applicant. On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to continue item to "Other Business" as the 1st discussion item on December 13, 2011. **Vote:** Unanimous (5-0)

Dascomb Road Rezoning:

The Board took up a discussion that was continued from the Nov. 8th meeting on a potential overlay district on Dascomb Rd. Mr. Materazzo reviewed a memo from Senior Planner, Lisa Schwarz, outlining options and the pros and cons of amendments to the Zoning By-law that would increase the allowed uses within an existing Zoning District (ID); Mr. Materazzo noted that the developer, William Zielinski, has approached the Board regarding their interest in expanding the uses in the ID district in Dascomb Road area. Mr. Materazzo asked what would be the best approach for the town; whether to change the zoning by-law for all ID districts to allow more uses; create an overlay district to allow specific uses within a single ID district; or to create an entirely new zoning district. He noted the Planning Board has the power to create more stringent special permit criteria in the case of a new zoning district or an overlay district. Ms. Duff noted that she has had discussions with Ms. Anderson, Mr. Materazzo and Mr. Zielinski regarding ways to change and add uses to the by-law, and noted the Board needs to decide which option is best. Mr. Chiozzi expressed concern that one land owner wants to change their lot's use, but such a change would affect all properties north and south of Dascomb Rd. Partick Dunford of Vanasse, Hangen Drustlin (VHB), representing the applicant gave an overview of the traffic analysis, and other sites with office and retail the Board has considered in the past. Some Board members noted they would be more comfortable if the Board hired their own traffic engineer to review and study the area rather than using the developer's traffic engineer. Mr. Materazzo reviewed the special permit process which addresses traffic impact/mitigation. Mr. Chiozzi noted that town meeting voters would not want to change zoning without considering

Dascomb Road Rezoning (cont.):

traffic impact. Attorney Mark Johnson representing the developer noted that a traffic study is done at the time a proposal is submitted to the Planning Board for review. He didn't feel it needed to be studied prior to submitting a warrant article. The Board discussed traffic, trip generations, the town meeting process and voter mentality as with regard to a proposed zoning change for the area. Mr. Dunford noted that the traffic counts were based on a 2006 traffic study from Burt Road and noted that with the recession, traffic volumes have been stable. Mr. McDonnell noted that the Planning Board applies discretion in all decisions and at the time a proposal is submitted to the Board, a traffic engineer is hired to conduct a traffic study. The Board discussed the following in detail: traffic, traffic impact, trip generation, current uses, proposed use, the pros and cons of a zoning by-law change at town meeting without traffic consideration, full build potential, and sponsorship of the article.

On a motion by Ms. Anderson seconded by Mr. Doherty the Board voted to request input from the Finance Committee and Board of Selectmen on the proposed zoning amendments for a possible warrant article and the Board further voted to conceptually support the article. **Vote:** Unanimous (5-0)

Minutes:

On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to approve the September 27, 2011 minutes as amended by Ms. Anderson. **Vote:** Unanimous (5-0)

Warrant Articles 3 & 4 (Youth Center):

The Board took up the deliberations on two proposed warrant articles associated with the Andover Youth Center. Warrant Article 3 would allow for the Board of Selectmen to appropriate the sum of \$2,000,000 to pay cost of designing, constructing and furnishing a Youth Center, including the payment of costs relating to the parking area behind the Doherty School. Warrant Article 4 is related to the transfer of the care, custody, control and management of a parcel of land containing 36,400 s.f as shown on a plan entitled "Plan Showing Proposed Youth Center" dated November 14, 2006, to the Board of Selectmen for municipal purposes.

On a motion by Mr. Chiozzi seconded by Mr. Doherty the Board voted to recommend approval of Article 3 and to support the design, construction and furnishings of a Youth center behind the Doherty Middle School, but will defer a decision as to the appropriation request to the Board of Selectmen and the Finance Committee. **Vote:** Unanimous (5-0)

On a motion by Mr. Doherty seconded by Mr. McDonnell the Board voted to recommend approval of Article 4

Adjournment: The meeting was adjourned 9:54 p.m.